

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:00CV33

ELSIE GODFREY, Individually and as Executrix of)	
The Estate of WILLIE C. GODFREY, Deceased,)	
RICHARD L. ALLEN and wife DEMENTRA K. ALLEN,)	
JAMES E. AMMONS;)	
THOMAS M. ARD and wife MYRA F. ARD,)	
SARAH JACQUELYN BENNETT, Individually and as)	
Personal Representative of the Estate of)	
JAMES BENNETT, Deceased,)	
WILLIAM H. BRADLEY and wife CLYDEAN BRADLEY,)	
WILLIAM S. BLACK and wife VICKI BLACK,)	
JOHNNIE BRATTEN and wife KATHLEEN M. BRATTEN,)	
KENNETH BROMELOW,)	
DAVID K. BROWN;)	
ALLEN S. DAVIS,)	
RICHARD DAY and wife DIANE M. DAY,)	LEAD
CECIL F. FOSTER and wife MATTIE D. FOSTER,)	CASE:
HERBERT GIBSON and wife KAY M. GIBSON,)	GODFREY
JOHN K. GREENE and BETTY C. GREENE,)	
HOMER M. GUFFEY and wife IVA T. GUFFEY,)	
HOWARD R. GUFFEY and wife GAIL E. GUFFEY,)	
JAMES C. HENLINE and wife LOUISE W. HENLINE,)	CIVIL
BOBBY R. HANCOCK and wife ELNA F. L. HANCOCK,)	ACTION#
SHELBY HEWELL,)	1:00-CV-33-T
DENNIS R. HICKS and wife PATRICIA J. HICKS,)	
NORMAN H. HILL and wife CATHERINE C. HILL,)	
JOHN D. HILTON and wife BARBARA HILTON,)	
JOHN BRANNON BRIGHT, Executor of the Estate of)	
JIMMY D. HODGE, Deceased,)	
EDGAR E. HOMAN and wife)	
VIRGINIA LEVELL ROBERTS)	
HENRY A. HOUGHTON, Administrator of the Estate of)	
HENRY M. HOUGHTON, Deceased,)	
JOHN F. HUMPHRIES,)	
RONNIE L. INGLE and wife CHRISTA M. INGLE,)	
RAY B. KETCHIE and wife PEGGY E. KETCHIE,)	
LEWIS KOEHLER and wife PAMELA L. KOEHLER,)	
GARY LAVENDER,)	
EUNICE C. MAUNEY and husband LEON B. MAUNEY,)	
HAYWARD B. MCATEER and wife JEANNETTE R.)	
MCATEER,)	

SYLVIA G. MCCRARY and husband JOHN MCCRARY,)
LEE W. MCKEOWN, SR. and wife FRANKIE MCKEOWN,)
BILLY MERCER and wife CAROL F. MERCER,)
EDWARD R. MILLS and wife SANDRA L. MILLS,)
AGNES MIXER, Individually and as Executrix of)
The Estate of CARL M. MIXER, Deceased,)
HARGET F. MOORE and wife MAMIE E. MOORE,)
NEVERT L. NATION and wife DELLA B. NATION,)
JON ANDREW PARRISH,)
KELLY D. PURSLEY and wife SANDRA S. PURSLEY,)
ROY L. RAMSEY,)
ALBERT C. SMITH and wife SHIRLEY F. SMITH,)
LISA J. SPLAWN,)
NORMA R. STARNES, Individually and as Executrix)
Of the Estate of NICK W. STARNES, Deceased,)
JOHN D. TEAGUE and wife DOROTHY L.P. TEAGUE,)
THOMAS C. TIPTON,)
SARAH K. WALTERS and husband JAMES B. WALTERS)
FELIS D. WRIGHT and wife BESSIE WRIGHT,)
)
Plaintiffs)
)
v.)
)
AcandS Inc. <i>et al</i>,)
)
Defendants.)
)

ORDER OF DISMISSAL

THIS MATTER is before the Court upon motion by Plaintiffs Richard L. Allen and wife Dementra K. Allen; James E. Ammons; Thomas M. Ard and wife Myra F. Ard; Sarah Jacquelyn Bennett, Individually and as Personal Representative of the Estate of James Bennett, Deceased, William S. Black and wife Vicki Black, William H. Bradley and wife Clydean Bradley, William S. Black and wife Vicki Black; Johnnie Bratten and wife Kathleen M. Bratten, Kenneth Bromelow; Allen S. Davis; Richard Day and wife Diane M. Day; Cecil F. Foster and wife Mattie D. Foster, Herbert Gibson and wife Kay M. Gibson; Elsie Godfrey, Individually and

as Executrix of the Estate of Willie C. Godfrey, deceased; John K. Greene and Betty C. Greene; Homer M. Guffey and wife Iva T. Guffey; Howard R. Guffey and wife Gail E. Guffey; James C. Henline and wife Louise W. Henline; Bobby R. Hancock and wife Elna F. L. Hancock, Shelby Hewell; Dennis R. Hicks and wife Patricia J. Hicks; Norman H. Hill and wife Catherine C. Hill, John D. Hilton and wife Barbara Hilton; Edgar E. Homan and wife Virginia Levell Roberts, Henry A. Houghton, Administrator of the Estate of Henry M. Houghton, Deceased; John F. Humphries; Ronnie L. Ingle and wife Christa M. Ingle; Ray B. Ketchie and wife Peggy E. Ketchie; Lewis Koehler and wife Pamela L. Koehler; Gary Lavender; Eunice C. Mauney and husband Leon B. Mauney; Sylvia G. McCrary and husband John McCrary; Lee W. McKeown, Sr. and wife Frankie McKeown; Billy Mercer and wife Carol F. Mercer; Agnes Mixer, Individually and as Executrix of the Estate of Carl M. Mixer, Deceased; Harget F. Moore and wife Mamie E. Moore; Nevert L. Nation and wife Della B. Nation; Jon Andrew Parrish; Kelly D. Pursley and wife Sandra S. Pursley; Roy L. Ramsey; Albert C. Smith and wife Shirley F. Smith; Lisa J. Splawn; Norma R. Starnes, Individually and as Executrix of the Estate of Nick W. Starnes, Deceased; John D. Teague and wife Dorothy L.P. Teague; Thomas C. Tipton; Sarah K. Walters and husband James B. Walters; and Felix D. Wright and wife Bessie Wright, to dismiss Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, with prejudice.

It appears that good cause exists to permit Plaintiffs to do so,

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the Plaintiffs' motion is **ALLOWED**, and the claims of Plaintiffs Richard L. Allen and wife Dementra K. Allen; James E. Ammons; Thomas M. Ard and wife Myra F. Ard; Sarah Jacquelyn

Bennett, Individually and as Personal Representative of the Estate of James Bennett, Deceased, William H. Bradley and wife Clydean Bradley, William S. Black and wife Vicki Black; Johnnie Bratten and wife Kathleen M. Bratten, Kenneth Bromelow; Allen S. Davis; Richard Day and wife Diane M. Day; Cecil F. Foster and wife Mattie D. Foster, Herbert Gibson and wife Kay M. Gibson; Elsie Godfrey, Individually and as Executrix of the Estate of Willie C. Godfrey, deceased; John K. Greene and Betty C. Greene; Homer M. Guffey and wife Iva T. Guffey; Howard R. Guffey and wife Gail E. Guffey; James C. Henline and wife Louise W. Henline; Bobby R. Hancock and wife Elna F. L. Hancock, Shelby Hewell; Dennis R. Hicks and wife Patricia J. Hicks; Norman H. Hill and wife Catherine C. Hill, John D. Hilton and wife Barbara Hilton; Edgar E. Homan and wife Virginia Levell Roberts, Henry A. Houghton, Administrator of the Estate of Henry M. Houghton, Deceased; John F. Humphries; Ronnie L. Ingle and wife Christa M. Ingle; Ray B. Ketchie and wife Peggy E. Ketchie; Lewis Koehler and wife Pamela L. Koehler; Gary Lavender; Eunice C. Mauney and husband Leon B. Mauney; Sylvia G. McCrary and husband John McCrary; Lee W. McKeown, Sr. and wife Frankie McKeown; Billy Mercer and wife Carol F. Mercer; Agnes Mixer, Individually and as Executrix of the Estate of Carl M. Mixer, Deceased; Harget F. Moore and wife Mamie E. Moore; Nevert L. Nation and wife Della B. Nation; Jon Andrew Parrish; Kelly D. Pursley and wife Sandra S. Pursley; Roy L. Ramsey; Albert C. Smith and wife Shirley F. Smith; Lisa J. Splawn; Norma R. Starnes, Individually and as Executrix of the Estate of Nick W. Starnes, Deceased; John D. Teague and wife Dorothy L.P. Teague; Thomas C. Tipton; Sarah K. Walters and husband James B. Walters; and Felix D. Wright and wife Bessie Wright, against Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, are hereby **DISMISSED WITH PREJUDICE**.

Signed: January 17, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

